

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BRANDON D. MIDKIFF,)
)
Plaintiff,)
)
v.)
)
EQUIFAX INFORMATION)
SERVICES, LLC, TRANSUNION, LLC,)
EXPERIAN INFORMATION)
SOLUTIONS, INC., and NAVIENT)
SOLUTIONS, INC.,)
)
Defendants.)

CASE NO. 1:20-cv-01962-TWP-MJD

DEFENDANT NAVIENT SOLUTIONS, LLC'S INITIAL DISCLOSURES

Pursuant to Federal Rule of Civil Procedure 26(a), Navient Solutions, LLC (incorrectly identified as Navient Solutions, Inc.) ("NSL"), makes the following initial disclosures to Plaintiff Brandon Midkiff.

PRELIMINARY STATEMENT

NSL reserves the right to amend its disclosures as more information is gained through discovery and further investigation. Documents containing proprietary, confidential, or trade secret information, or which implicate the privacy interests of non-parties to this litigation, will be produced only subject to an acceptable protective order.

A. Individuals Likely to Have Discoverable Information

NSL discloses the following persons likely to have discoverable information that support its claims or defenses:

1. Corporate Representative of NSL
c/o Bonnie L. Martin,
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
111 Monument Circle, Suite 4600
Indianapolis, IN 46204

NSL has not yet identified its corporate representative. However, the identified representative will have knowledge of the facts and issues in this case after reviewing the relevant account records.

2. Brandon D. Midkiff
c/o Plaintiff's Counsel

Plaintiff will have knowledge regarding the claims asserted in the Complaint and NSL's defenses.

3. Justin Midkiff
Contact Information Unknown

Mr. Midkiff is likely to have knowledge regarding the factual allegations asserted in the Complaint, including facts related to the procurement of the loan.

4. Corporate Representative of each Co-Defendant
c/o Co-Defendant's Counsel

Each Co-Defendant is likely to have knowledge regarding any disputes submitted to NSL, and Plaintiff's damages.

Investigation and discovery are ongoing. NSL reserves the right to amend or supplement this list, including through the use of supplemental disclosures, written discovery responses, deposition answers, or document productions.

B. Document Disclosures

NSL discloses the following documents that it may use to support its claims or defenses:

- Relevant and non-privileged account records, including any disputes received from consumer reporting agencies;
- All documents produced by a co-Defendant;
- All documents obtained from a non-party through subpoena;
- All documents listed in any other party's Initial Disclosures;
- All documents necessary to rebut Plaintiffs' allegations and claim for damages; and
- All documents necessary to prove any defenses in this matter.

Responsive, non-privileged/non-work product documents will be produced by NSL in response to Plaintiff's discovery requests.

Investigation and discovery are ongoing. NSL reserves the right to amend or supplement this list, including through the use of supplemental disclosures, written discovery responses, deposition answers, or document productions.

C. Computation of Damages

NSL does not presently seek the recovery of damages in this matter, but reserves the right to do so in the future. NSL will seek its reasonable attorneys' fees and expenses if the Court determines that they are recoverable under any applicable contract, rule, or statute.

D. Applicable Insurance Agreements

NSL is not aware of any applicable insurance agreements that provide coverage in connection with this matter.

Respectfully submitted,

/s/Justin A. Allen

Bonnie L. Martin, IN 20248-18

Justin A. Allen, IN 31204-49

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2020, a copy of the foregoing document was served electronically on all counsel of record:

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